

## B. BILLS BY DCA BOARDS, BUREAUS, & PROGRAMS

### (1) ACCOUNTANCY

**AB 797**  
**Ma**

**Accountants: Discipline: Internet Posting**

**Died on Senate  
Inactive File**

Would have required the California Board of Accountancy to post on its Internet web site the text of decisions it issued imposing discipline against a licensee for a period of at least 10 years.

**SB 870**  
**Ducheny**

**Accountancy: Peer Review & Practice Privilege Programs**

**Enacted  
Chapter 712**

Approves position authority for 2.0 positions funded via redirection in FY 2010-11, and ongoing, to implement the Peer Review Program mandated by AB 138 (Chapter 312, Statutes of 2009) and approves position authority for 2.0 positions in FY 2010-11, on ongoing, to continue the Practice Privilege Program as outlined in SB 819 (Chapter 308, Statutes of 2009).

**SB 1490**  
**Business,  
Professions  
& Economic  
Dev Com**

**Accountants**

**Enacted  
Chapter 298**

Makes several minor, non-substantive changes to various provisions of law pertaining to the Board of Accountancy. *(Urgency Clause)*

**SB 1491**  
**Business,  
Professions  
& Economic  
Dev Com**

**Professions & Vocations**

**Enacted  
Chapter 415**

Makes several minor and non-substantive changes to provisions pertaining to non-health regulatory boards of the Department of Consumer Affairs.

### (2) ACUPUNCTURE

**AB 1391**  
**Eng**

**Acupuncture Board**

**Died in Senate  
Business,  
Professions &  
Economic Dev  
Committee**

Would have extended the sunset date of the Acupuncture Board and extended its authority to appoint an executive officer from January 1, 2011 to January 1, 2017.

**SB 856**  
**Committee  
on Budget &  
Fiscal  
Review**

**Healing Arts Boards: Investigative Services**

**Enacted  
Chapter 719**

Allows the Division of Investigations, the Medical Board, the Dental Board, and other healing arts boards, to employ non-sworn personnel and consultants with subject matter expertise to provide the investigative services for the boards.

### (3) ALL BOARDS / BUREAUS / COMMISSIONS / PROGRAMS

<b>AB 471</b> Nava	<b><u>Legal Services</u></b>	<b>Vetoed</b>
	Would have made several technical and clarifying changes to current law related to the State Attorney General's oversight of use of legal counsel by state agencies.	
<b>AB 1585</b> <b>Accountability &amp; Administrative Review Committee</b>	<b><u>State Government: Reporting Requirements: Required Repealer</u></b>  Modifies the process for state and local agencies submitting statutorily required reports to the Legislature, requires a sunset date on all future statutorily required legislative reports, and deletes obsolete reports from a list maintained by Legislative Counsel. <i>(Urgency Clause)</i>	<b>Enacted</b> <b>Chapter 7</b>
<b>AB 1659</b> Huber	<b><u>State Government: Agency Repeals</u></b>  Creates the Joint Sunset Review Committee in the Legislature, which will be responsible for analysis of specified state agencies, to determine if the agencies continue to be necessary and cost effective.	<b>Enacted</b> <b>Chapter 666</b>
<b>AB 1993</b> Strickland, Audra	<b><u>Reports: Declarations</u></b>  Would have required written reports submitted to the Legislature to include a signed statement by the head of the entity declaring that the factual contents of the report are true.	<b>Died in Senate</b> <b>Rules Committee</b>
<b>AB 2038</b> Eng	<b><u>Franchise Tax Board: Professional or Occupational Licenses</u></b>  Beginning January 1, 2012 and ending January 1, 2016, would have permitted a state governmental licensing entity to suspend, revoke, or refuse to issue a license if a licensee or applicant for licensure failed to pay income taxes, and would have required the Franchise Tax Board to discipline a licensee if the appropriate licensing entity failed to make a decision regarding the suspension or revocation of the license.	<b>Died in</b> <b>Assembly</b> <b>Appropriations Committee</b>
<b>AB 2130</b> Huber	<b><u>Professions &amp; Vocations: Sunset Review</u></b>  Abolishes the Joint Committee on Boards, Commissions, and Consumer Protection and requires state entities with sunset dates on or after January 1, 2011, to be subject to review by the Joint Sunset Review Committee that would be created by AB 1659 (Huber, 2010). Also, establishes new sunset dates for programs not related to the Department of Consumer Affairs. This bill also repeals Business & Professions Code section 101.1, which allowed Boards subject to sunset review to become bureaus in the Department of Consumer Affairs upon becoming inoperative or being repealed.	<b>Enacted</b> <b>Chapter 670</b>

<b>AB 2466</b> <b>Smyth</b>	<b><u>Regulations: Legislative Validation: Effective Date</u></b>  Would have delayed a regulation's effective date from 30 to 90 days after the filing date with the Secretary of State, and required the Office of Administrative Law to submit a copy of the regulation to the Legislature for review.	<b>Died in Assembly Appropriations Committee</b>
<b>AB 2500</b> <b>Hagman</b>	<b><u>Professions &amp; Vocations: Licenses: Military Service</u></b>  Waives the penalty fee for late renewal of any type of state license issued by a Department of Consumer Affairs entity, for a member of the California National Guard or the United States Armed Forces, who was on active duty at the time their license expired.	<b>Enacted Chapter 389</b>
<b>AB 2652</b> <b>Niello</b>	<b><u>Administrative Regulations: Legislative Review</u></b>  Would have required a standing committee with jurisdiction over a state agency proposing to adopt a regulation with a gross cost in excess of \$10,000,000 to hold an informational hearing regarding the proposed regulation.	<b>Died in Assembly Appropriations Committee</b>
<b>AB 2738</b> <b>Niello</b>	<b><u>Regulations: Agency Statement of Reasons</u></b>  Establishes new requirements for state agencies when adopting regulations that require the use of specific technology, equipment, or procedures. These provisions will be operative between January 1, 2012, and January 1, 2014. ( <i>Urgency Clause</i> )	<b>Enacted Chapter 398</b>
<b>AB 2783</b> <b>Veterans Affairs Com</b>	<b><u>Professions &amp; Vocations: Military Personnel</u></b>  Requires state licensing boards to consult the Military Department, in addition to the Department of Veteran Affairs, prior to adopting rules and regulations related to the education, training, and experience obtained in the armed services and how it can meet licensure requirements for occupations and professions licensed and regulated under the Department of Consumer Affairs.	<b>Enacted Chapter 214</b>
<b>SB 294</b> <b>Negrete McLeod</b>	<b><u>Professions &amp; Vocations: Regulation</u></b>  Adjusts the sunset dates for specified regulatory programs of the Department of Consumer Affairs to conform to the sunset review schedule released by the Senate Business, Professions and Economic Development Committee.	<b>Enacted Chapter 695</b>
<b>SB 389</b> <b>Negrete McLeod</b>	<b><u>Professions &amp; Vocations: CORI</u></b>  Would have required all licensees of the Department of Consumer Affairs boards, bureaus, and commission listed in Section 144(b) of the Business and Professions Code to be fingerprinted and to undergo a criminal offender record information (CORI) search if they had not already done so or if a record of them doing so no longer existed.	<b>Died in Assembly Public Safety Committee</b>

**SB 856**  
**Committee**  
**on Budget &**  
**Fiscal**  
**Review**

**Department of Consumer Affairs: Budget Trailer Bill**

**Enacted**  
**Chapter 719**

Eliminates authority of the Director of the Department of Consumer Affairs to transfer the investigative, inspectional, and auditing positions to the Division of Investigations; requires the Department to give various legislative committees 30 days notice before entering into a contract to update enforcement and licensing computer programs; requires implementation of BreEZe to be consistent with project costs approved by the State Chief Information Officer's Office; and requires the Department to report to the Legislature, by December 31, 2014 on BreEZe implementation impacts.

**SB 870**  
**Ducheny**

**Department of Consumer Affairs: Budget Bill**

**Enacted**  
**Chapter 712**

Approves the reduction of 4.0 part-time positions and \$208,000 in FY 2010-11 in the DCA call center; the reduction of 39.6 positions and \$5,240,000 in FY 2010-11 for the consolidation of various Boards and Bureaus within the Department of Consumer Affairs and the shift of the Structural Pest Control Board from DCA to the California Department of Pesticide Regulation, pursuant to AB4x 20 (Chapter 18, Statutes of 2009); and approves the addition of 107.0 positions and \$12,770,000 to address major enforcement procedure reforms, workload increases and to eliminate existing backlogs in DCA Board/Bureau enforcement programs.

**SB 1330**  
**Judiciary**  
**Com**

**Maintenance of the Codes**

**Enacted**  
**Chapter 328**

Makes several minor and technical changes in California codes relative to outdated language and grammar errors. These changes were recommended by the Legislative Counsel's Office and make no substantive changes to existing law.

**(4) ARCHITECTS**

**AB 1746**  
**Emmerson**

**Architects: Continuing Education**

**Enacted**  
**Chapter 240**

Authorizes the California Architects Board to audit the continuing education (CE) records of a licensee and require licensees to only provide specific CE documentation in the case of an audit, and eliminates the current requirement that licensees submit CE documentation at the time of license renewal.

**(5) ATHLETIC COMMISSION**

**SB 1098**  
**Corbett**

**Athlete Agents**

**Vetoed**

Would have repealed the Miller-Ayala Athlete Agents Act which governs the conduct of athletic agents, replacing the existing law with the Uniform Athlete Agent Act developed by the National Conference of Commissioners on Uniform State Laws. Also, required athlete agents to register with the Department of Industrial Relations (DIR) and required DIR to issue registration certificates

based on the application forms and certificates of other states with similar registration requirements. The Veto message states the program would be more appropriately placed within the Department of Consumer Affairs.

## **(6) AUTOMOTIVE REPAIR**

**AB 519**  
**Solorio**

**Vehicles: Towing Fees & Access Notice**

Establishes notice and invoicing standards for individuals and companies that offer towing services and/or towed vehicle storage services and defines the type of documentation that a towing company may require to release a vehicle.

**Enacted**  
**Chapter 566**

**AB 787**  
**Hill**

**Smog Check: Vehicle Repair Assistance & Retirement Program**

Makes various changes to the Department of Consumer Affairs' repair assistance and vehicle retirement options offered by the Smog Check program, administered by the Bureau of Automotive Repair. One change raises the vehicle retirement amount to \$1,500 for low-income individuals.

**Enacted**  
**Chapter 231**

**AB 1740**  
**Jeffries**

**Vehicles: Specially Constructed Vehicles**

Would have increased the number of specially constructed vehicles that could be registered each year from 500 to 750.

**Died in Senate**  
**Transportation & Housing Committee**

**AB 1815**  
**Emmerson**

**Vehicles: Special Interest License Plates: NASCAR**

Would have authorized the Bureau of Automotive Repair (BAR), within the Department of Consumer Affairs, to apply to the Department of Motor Vehicles to sponsor a program for a series of specialized National Association for Stock Car Auto Racing (NASCAR) license plates, the fees from which would be transferred to the High Polluter Repair or Removal Account for use by BAR's Consumer Assistance Program.

**Died in Senate**  
**Transportation & Housing Committee**

**AB 2289**  
**Eng**

**Smog Check Program: Testing: Penalties**

Makes a number of program changes to upgrade the motor vehicle inspection and maintenance (Smog Check) program, operated by the Bureau of Automotive Repair (BAR) within the Department of Consumer Affairs. These changes include increasing flexibility in testing procedures, adopting new technologies, adopting a more stringent fine structure for Smog Check technicians as well as stations, and requiring an annual evaluation of the Smog Check program by BAR.

**Enacted**  
**Chapter 258**

**AB 2461**  
**Emmerson**

**Vehicles: Vehicle Registration Amnesty Program**

Extends the Department of Motor Vehicles' registration amnesty program an additional 12 months, from July 1, 2011, to June 30, 2012, and exempts certain vehicles from various Smog Check inspection requirements when seeking amnesty.

**Enacted**  
**Chapter 388**

**SB 165**  
**Lowenthal**

**Vehicles: Specially Constructed Vehicles**

Would have recast provisions relating to specially constructed vehicles (SPCN) and provided that the owner of a currently registered SPCN may apply to register the vehicle using a different model year.

**Died on  
Assembly  
Inactive File**

**SB 427**  
**Negrete  
McLeod**

**Automotive Repair: Crash Parts**

Would have redefined the term “aftermarket crash part” and added a definition for “crash part.” Also, increased criminal penalties for automotive repair dealers that failed to replace an airbag that a consumer had been charged for the replacement.

**Vetoed**

**SB 435**  
**Pavley**

**Vehicles: Pollution Control Devices**

Makes it a crime for a person to park, use, or operate a motorcycle registered in the state that is manufactured on and after January 1, 2013, or a motorcycle, registered in the state, with aftermarket exhaust system equipment that is manufactured on or after January 1, 2013, that does not have a federal Environmental Protection Agency exhaust system label.

**Enacted  
Chapter 407**

**SB 1156**  
**Cedillo**

**Heavy-Duty Trucks: Grants: Compliance**

Would have diverted \$20 million collected to implement the Enhanced Fleet Modernization Program to the Air Resources Board (ARB) for the purpose of providing grants to small business owners of on-road heavy-duty diesel-fueled trucks, buses, and drayage trucks to meet ARB heavy-duty truck regulations.

**Died at  
Assembly Desk**

**(7) BARBERING & COSMETOLOGY**

**SB 870**  
**Ducheny**

**Barbering & Cosmetology: New Establishment Inspections**

Approves 4.0 positions and \$303,000 in FY 2010-11, and \$238,000 ongoing, to ensure compliance with the 90-day mandate to review establishments.

**Enacted  
Chapter 712**

**SB 1491**  
**Business,  
Professions  
& Economic  
Dev Com**

**Professions & Vocations**

Makes several minor and non-substantive changes to provisions pertaining to non-health regulatory boards of the Department of Consumer Affairs.

**Enacted  
Chapter 415**

**(8) BEHAVIORAL SCIENCES**

**AB 1730**  
**Emmerson**

**Personal Rights: Monetary Liability**

Provides that there is no monetary liability on the part of, and no cause of action for damages can arise against, any member of a peer review committee, composed chiefly of marriage and family therapists.

**Enacted  
Chapter 82**



<b>AB 2167</b> <b>Nava</b>	<b><u>Clinical Social Workers: Examination Requirements</u></b>  Authorizes the Board of Behavioral Sciences to approve use of the national licensing examination for applicants seeking licensure as Licensed Clinical Social Workers.	<b>Enacted</b> <b>Chapter 546</b>
<b>AB 2191</b> <b>Emmerson</b>	<b><u>Healing Arts: Behavioral Sciences: Licensure</u></b>  Requires the Board for Behavioral Sciences to issue a retired license to a marriage and family therapist, licensed educational psychologist, licensed clinical social worker, or a professional clinical counselor who holds a current and active license, applies for the retired license, and pays a fee.	<b>Enacted</b> <b>Chapter 548</b>
<b>AB 2435</b> <b>Lowenthal,</b> <b>Bonnie</b>	<b><u>Elder &amp; Dependent Adult Abuse</u></b>  Requires psychologists, marriage and family therapists, clinical social workers, and professional clinical counselors to have training on the recognition and reporting of suspected elder and dependent adult abuse as a requirement for licensure, either taken in a degree program or as continuing education.	<b>Enacted</b> <b>Chapter 552</b>
<b>SB 856</b> <b>Committee</b> <b>on Budget &amp;</b> <b>Fiscal</b> <b>Review</b>	<b><u>Healing Arts Boards: Investigative Services</u></b>  Allows the Division of Investigations, the Medical Board, the Dental Board, and other healing arts boards, to employ non-sworn personnel and consultants with subject matter expertise to provide the investigative services for the boards.	<b>Enacted</b> <b>Chapter 719</b>
<b>SB 870</b> <b>Ducheny</b>	<b><u>Behavioral Sciences: Additional Staff</u></b>  Approves a 0.5 position funded via redirection in FY 2010-11, and ongoing, to address the increased workload to verify and validate that licensees are meeting the continuing education requirements for biennial license renewal. Also, approves 2.5 positions and \$791,000 beginning January 1, 2011, and \$970,000 ongoing, to implement the requirements for Licensed Professional Clinical Counselors as mandated by SB 788 (Chapter 619, Statutes of 2009).	<b>Enacted</b> <b>Chapter 712</b>
<b>SB 1489</b> <b>Business,</b> <b>Professions</b> <b>&amp; Economic</b> <b>Dev Com</b>	<b><u>Healing Arts</u></b>  Makes several minor and non-substantive changes to provisions pertaining to the health-related regulatory boards of the Department of Consumer Affairs.	<b>Enacted</b> <b>Chapter 653</b>

## (9) CEMETERY & FUNERAL

<b>AB 2283</b> <b>Miller</b>	<b><u>Disposition of Human Remains: Alkaline Hydrolysis</u></b>  Would have changed the statutory definition of "cremation" to include alkaline hydrolysis, a chemical dissolution process using heat, high pressure water and potassium hydroxide to dissolve human tissue. Also, would have required the Cemetery and Funeral	<b>Died in Senate</b> <b>Environmental</b> <b>Quality</b> <b>Committee</b>
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Bureau to adopt regulations for the safe operation of alkaline hydrolysis chambers in California.

**SB 1491**  
**Business,**  
**Professions**  
**& Economic**  
**Dev Com**

**Professions & Vocations**

**Enacted**  
**Chapter 415**

Makes several minor and non-substantive changes to provisions pertaining to non-health regulatory boards of the Department of Consumer Affairs.

**(10) CONTRACTORS**

**AB 510**  
**Skinner**

**Net Energy Metering**

**Enacted**  
**Chapter 6**

Requires that a licensed contractor prepare an inspection report for an electrical corporation when entering into a new net metering contract with a customer with an existing electrical generating facility and meter.

**AB 660**  
**Torrico**

**Sprinkler Fitters: Licensing**

**Died in Senate**  
**Appropriations**  
**Committee**

Would have required certification and regulation of sprinkler fitters by the State Fire Marshal and would have prohibited a person from performing work on a fire suppression system without a certificate or permit issued by the State Fire Marshal.

**AB 1074**  
**Conway**

**Contractors: Fraudulent License Numbers**

**Died in Senate**  
**Public Safety**  
**Committee**

Would have provided that it is a crime if a person willfully and intentionally uses, with the intent to defraud, any number that does not correspond to the number on a currently valid contractor's license held by that person.

**AB 2267**  
**Eng**

**Contractors: License Requirements: Bond**

**Died in**  
**Assembly**  
**Business &**  
**Professions**  
**Committee**

Would have limited the amount of money that a material supplier could recover from a contractor's bond to \$4,000 (from \$7,500) and would have allowed a property owner of a single-family dwelling to recover the full amount from the contractor's bond (\$12,500) rather than the current \$7,500 limit.

**AB 2305**  
**Knight**

**Contractors: Workers' Compensation Insurance Coverage**

**Enacted**  
**Chapter 423**

Extends the sunset dates (from 2011 to 2013) for provisions that require a contractor with a C-39 classification (roofing contractor) to obtain and maintain workers' compensation insurance coverage, even if he or she has no employees. Also, extends the Contractors State License Board's authority to automatically suspend any contractor's license holding a roofing classification if workers' compensation certificates are not on file by a specified time.

**AB 2332**  
**Eng**

**Contractors: Licenses**

**Vetoed**

Would have authorized the Contractors' State License Board to refuse to issue, reinstate, reactivate, renew, or suspend a



contractor's license for failure to resolve outstanding liabilities assessed by the Board of Equalization.

**AB 2419**  
**Cook**

**Contractors**

**Vetoed**

Would have removed the apostrophe in the names of the Contractors' State License Law, the Contractors' License Fund, and the Contractors' State License Board and also, would have renamed specified classifications of contractors.

**SB 189**  
**Lowenthal**

**Mechanics Liens**

**Enacted**  
**Chapter 697**

Recasts and revises the mechanics lien law by making a number of clarifying changes, updating archaic provisions, and streamlining procedures. This statute does not take effect until July 1, 2012.

**SB 392**  
**Florez**

**Contractors: Limited Liability Companies**

**Enacted**  
**Chapter 698**

Authorizes the issuance of a contractor's license to a limited liability company (LLC) and requires a licensed LLC to obtain and maintain a \$1,000,000 insurance policy, plus an additional \$100,000 per licensee in excess of five employed by the LLC, up to a maximum of \$5,000,000 insurance.

**SB 629**  
**Liu**

**Private Works of Improvement: Retention Proceeds**

**Died on Senate**  
**Inactive File**

Would have required for contracts entered into on or after January 1, 2010 between an owner and an original contractor, between an original contractor and a subcontractor, and between two subcontractors, that the amount of retention proceeds withheld from any payments made under contract would not exceed 5 percent of the total contract price.

**SB 870**  
**Ducheny**

**Contractors: Convert Limited Term Positions to Permanent**

**Enacted**  
**Chapter 712**

Approves 11.0 Enforcement Representative positions and \$918,000 in FY 2010-11, and ongoing, to convert existing limited term positions to permanent for the Economic and Employment Enforcement Coalition effort. Also, approves position authority for a 0.5 Information Technology position, funded via redirection, to provide analysis, development and support for the Board's critical Licensing and Enforcement System and to support their Website Operation.

**SB 1254**  
**Leno**

**Contractors: Workers' Compensation Insurance Coverage**

**Enacted**  
**Chapter 643**

Authorizes the Registrar of the Contractors State License Board (CSLB) to issue a stop work order to any contractor who has failed to secure workers' compensation insurance coverage for his or her employees. Also, authorizes the Director of the Department of Consumer Affairs to designate nine additional persons as peace officers for assignment to the special investigations unit of the CSLB.

**SB 1373**  
**Leno**

**Sales & Use Taxes: Retailer: Construction Contractor**

Would have designated a paving construction contractor as a retailer of the materials that he or she furnishes, installs, or produces and thereby impose sales taxes on these materials.

**Died in Senate  
Revenue &  
Taxation  
Committee**

**SB 1491**  
**Business,  
Professions  
& Economic  
Dev Com**

**Professions & Vocations**

Makes several minor and non-substantive changes to provisions pertaining to non-health regulatory boards of the Department of Consumer Affairs.

**Enacted  
Chapter 415**

**(11) COURT REPORTERS**

**SB 1181**  
**Cedillo**

**Shorthand Reporters: Transcript Reimbursement Fund**

Allows indigent persons that represent themselves in civil litigation to obtain reimbursement from the Transcript Reimbursement Fund (TRF) and extends the sunset on the operation of the TRF from January 1, 2011, to January 1, 2013.

**Enacted  
Chapter 518**

**(12) DENTISTS / DENTAL HYGIENISTS**

**AB 456**  
**Emmerson**

**Dentistry: Diversion Program**

Would have modified the statutory requirements of the Dental Board of California's diversion program to allow for more communication between the Board's diversion program and the Board's enforcement division.

**Died in Senate  
Business,  
Professions &  
Economic Dev  
Committee**

**AB 583**  
**Hayashi**

**Health Care Practitioners: Disclosure of Education**

Requires certain health care practitioners to provide their name, license type, highest level of academic degree, and board certification in written disclosures to patients or in their offices.

**Enacted  
Chapter 436**

**AB 1524**  
**Hayashi**

**Dentistry: Examination Requirements**

Establishes a new licensure pathway for dentists via a "portfolio assessment" which is based on testing performed in dental school, and abolishes the clinical and written examination that is currently administered by the Dental Board of California.

**Enacted  
Chapter 446**

**AB 1570**  
**Salas**

**Malpractice Insurance: Volunteer Dentists**

Would have required the Dental Board of California (Board), in conjunction with the Health Professions Education Foundation, to study the issue of having the Board provide malpractice insurance to dentists who provide voluntary, unpaid services, and report its findings to the Legislature on or before January 1, 2012.

**Vetoed**

**AB 2699**  
**Bass**

**Healing Arts: Licensure Exemption**

**Enacted**  
**Chapter 270**

Until January 1, 2014, temporarily exempts out-of-state licensed healthcare practitioners from California licensure requirements while participating in a free healthcare event in this state sponsored by an approved nonprofit organization. Also, requires the sponsoring entity and all participating out-of-state healthcare practitioners to register in advance with the appropriate licensing boards and comply with California law during the event.

**SB 856**  
**Committee**  
**on Budget &**  
**Fiscal**  
**Review**

**Healing Arts Boards: Investigative Services**

**Enacted**  
**Chapter 719**

Allows the Division of Investigations, the Medical Board, the Dental Board, and other healing arts boards, to employ non-sworn personnel and consultants with subject matter expertise to provide the investigative services for the boards.

**SB 1111**  
**Negrete**  
**McLeod**

**Healing Arts Boards: Enforcement**

**Died in Senate**  
**Business,**  
**Professions &**  
**Economic Dev**  
**Committee**

Would have enacted a number of changes pertaining to the enforcement activities of the healing arts boards under the Department of Consumer Affairs, including: 1) increased the boards' authority to remove dangerous individuals from practice; 2) provided better access to critical information for use in investigations; and 3) made various other changes to improve efficiency in enforcement processes.

**SB 1172**  
**Negrete**  
**McLeod**

**Regulatory Boards: Diversion Programs**

**Enacted**  
**Chapter 517**

Requires a healing arts board within the Department of Consumer Affairs to issue a cease practice order to a licensee who is on probation for substance abuse or in a diversion program and tests positive for a banned substance. Also, authorizes a board to adopt regulations ordering a licensee on probation or in a diversion program to cease practice for major violations of probation or the diversion program and when the board orders a licensee to undergo a clinical diagnostic evaluation.

**(13) ELECTRONIC & APPLIANCE REPAIR, HOME FURNISHINGS & THERMAL INSULATION**

**AB 2111**  
**Smyth**

**Service Contracts**

**Enacted**  
**Chapter 543**

Makes changes to service contracts exemptions, pro rata refunds, products covered under service contracts, and expands the scope of parties permitted to sell service contracts. Also, adopts language from the National Association of Insurance Commissioners Model Act and extends the sunset date to January 1, 2018.

**SB 772**  
**Leno**

**Home Furnishings: Fire Retardancy: Juvenile Products**

**Died in**  
**Assembly**  
**Appropriations**  
**Committee**

Would have exempted strollers, infant carriers, bassinets, and nursing pillows from complying with fire retardant regulations set by

the Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation unless they determined a product posed a serious fire hazard.

**SB 1291**  
**Leno**

**Chemicals of Concern: Flame Retardants**

**Died on Senate  
Inactive File**

Would have required the Department of Toxic Substances Control (DTSC) to evaluate flame retardant chemicals used to meet the Bureau of Electronic and Appliance Repair, Home Furnishings, Thermal Insulation (BEARHFTI) flammability standards, and prohibited the use of new flame retardant chemicals, until they had been evaluated by the DTSC. Also, would have required the DTSC, in consultation with the BEARHFTI and other relevant entities, to perform a comparative risk assessment of the flame retardant chemicals and the flammability standards.

**(14) ENGINEERS & LAND SURVEYORS**

**AB 1431**  
**Hill**

**Geologists & Geophysicists**

**Enacted  
Chapter 696**

Renames the Board for Professional Engineers and Land Surveyors as the Board for Professional Engineers, Land Surveyors, and Geologists and increases the membership of the Board from 13 members to 15 by adding one additional professional member who is a licensed geologist or geophysicist, and one public member. Both new members will be appointed by the Governor.

**SB 870**  
**Ducheny**

**Professional Engineers: Citations Program Workload**

**Enacted  
Chapter 712**

Approves a 1.0 two-year limited term position and \$94,000 in FY 2010-11, and 1.0 position and \$86,000 ongoing, to address complaint caseload and citation backlog.

Also approves a permanent special fund augmentation for 3.0 positions and \$559,000 in FY 2010-11, and 3.0 positions and \$544,000 ongoing, to fund the transfer of the former Board of Geologists and Geophysicists' (BGG) mandated responsibilities and workload to the Board of Professional Engineers and Land Surveyors (BPELS). Also, redirects 1.0 position and \$88,000 from BPELS to BGG's enforcement program and a \$43,000 internal cost recovery for BPELS from BGG associated with the oversight of Geology staff and related workload.

**SB 1008**  
**Padilla**

**Engineering & Land Surveying: Limited Liability Partnerships**

**Enacted  
Chapter 634**

Allows licensed engineers and land surveyors to operate as limited liability partnerships (LLPs) until January 1, 2016. Also, establishes certain security requirements, in the form of minimum insurance, escrow funds or net worth, for engineering and land surveying LLPs designed to protect consumers in the event of a successful liability claim against the LLP.

**SB 1491**  
**Business,**  
**Professions**  
**& Economic**  
**Dev Com**

**Professions & Vocations**

Makes several minor and non-substantive changes to provisions pertaining to non-health regulatory boards of the Department of Consumer Affairs.

**Enacted**  
**Chapter 415**

**(15) FIDUCIARIES, PROFESSIONAL**

**AB 2271**  
**Silva**

**Probate: Appeals**

Allows a probate court to appoint a temporary trustee, who can exercise trustee powers, to replace the removed trustee during the course of their appeal of a probate order or judgment.

**Enacted**  
**Chapter 94**

**AB 2493**  
**Fuller**

**Conservators: Photograph of Missing Conservatee**

Requires, upon the establishment of a conservatorship by the court and annually thereafter, that a conservator of a person ensure that a clear photograph of the conservatee is taken and preserved for the purpose of identifying the conservatee if he or she becomes missing.

**Enacted**  
**Chapter 97**

**SB 202**  
**Harman**

**Trustees: Duties**

Makes minor changes to the Probate Code relating to trusts, including clarifying when trustees must give "trustee notification" to beneficiaries, the settlor's heirs, and the Attorney General. Also increases the size of small trusts that the trustee has the discretionary power to terminate from \$20,000 to \$40,000.

**Enacted**  
**Chapter 621**

**SB 1038**  
**Harman**

**Powers of Attorney: Duties**

Clarifies statute in order to hold attorneys-in-fact liable for damages to an estate if the attorney-in-fact acted in bad faith.

**Enacted**  
**Chapter 48**

**(16) GEOLOGISTS & GEOPHYSICISTS**

**AB 1431**  
**Hill**

**Geologists & Geophysicists**

Renames the Board for Professional Engineers and Land Surveyors as the Board for Professional Engineers, Land Surveyors, and Geologists and increases the membership of the Board from 13 members to 15 by adding one additional professional member who is a licensed geologist or geophysicist, and one public member. Both new members will be appointed by the Governor.

**Enacted**  
**Chapter 696**

**(17) GUIDE DOGS**

**SB 1491**  
**Business,**  
**Professions**  
**& Economic**  
**Dev Com**

**Professions & Vocations**

Makes several minor and non-substantive changes to provisions pertaining to non-health regulatory boards of the Department of Consumer Affairs.

**Enacted**  
**Chapter 415**

## (18) LANDSCAPE ARCHITECTS

**SB 189**  
**Lowenthal**

### **Mechanics Liens**

**Enacted**  
**Chapter 697**

Recasts and revises the mechanics lien law by making a number of clarifying changes, updating archaic provisions, and streamlining procedures. This statute does not take effect until July 1, 2012.

## (19) MEDICINE

**AB 583**  
**Hayashi**

### **Health Care Practitioners: Disclosure of Education**

**Enacted**  
**Chapter 436**

Requires certain health care practitioners to provide their name, license type, highest level of academic degree, and board certification in written disclosures to patients or in their offices.

**AB 646**  
**Swanson**

### **Physicians & Surgeons: Employment**

**Died in Senate**  
**Health**  
**Committee**

Would have repealed an existing pilot project that exempts certain district hospitals from the prohibition against the corporate practice of medicine and would have instead provided an exemption, until January 1, 2021, to local health care districts that include certain documented underserved populations and that apply for such exemption to the Medical Board.

**AB 648**  
**Chesbro**

### **Rural Hospitals: Physician Services**

**Died in Senate**  
**Business,**  
**Professions &**  
**Economic Dev**  
**Committee**

Would have established the Rural Hospital Physician and Surgeon Services Demonstration Project, which would have exempted rural hospitals, as defined, from the prohibition against the corporate practice of medicine. Rural hospitals directly employing physicians would have been prohibited from interfering with physicians' independent medical judgment in providing care to patients.

**AB 1235**  
**Hayashi**

### **Medicine: Peer Review**

**Vetoed**

Would have (1) encouraged external peer review of healing arts licensees in specified circumstances, (2) provided for increased sharing of information between peer review bodies, and (3) made a number of changes to the processes and procedures for hearings held regarding the proposed final decisions of peer review bodies.

**AB 1767**  
**Hill**

### **Medicine: Legal Representation for Expert Reviewers**

**Enacted**  
**Chapter 451**

Requires the State Attorney General, upon request of the Medical Board (Board), to provide legal representation to a licensed physician who served as an expert reviewer for the Board in a disciplinary case and is now subject to a disciplinary proceeding by a specialty board as a result of his or her expert review. Also, extends the January 1, 2011 sunset date for the Board to appoint trustees to the Health Professions Education Foundation to January 1, 2016.

<b>AB 2386</b> <b>Gilmore</b>	<b><u>Armed Forces: Medical Personnel</u></b>	<b>Enacted</b> <b>Chapter 151</b>
	Allows a member of the armed forces who is licensed as a physician, physician assistant, or registered nurse in another state to practice in a California hospital as part of an educational program designed to further the combat readiness of the armed forces member.	
<b>AB 2566</b> <b>Carter</b>	<b><u>Cosmetic Surgery: Employment of Physicians &amp; Surgeons</u></b>	<b>Vetoed</b>
	Would have increased the penalty for a business providing outpatient elective cosmetic medical procedures or treatments in violation of the prohibition against the corporate practice of medicine.	
<b>AB 2600</b> <b>Ma</b>	<b><u>Medicine: Continuing Education</u></b>	<b>Enacted</b> <b>Chapter 268</b>
	As originally written, would have required the Medical Board to consider requiring physicians to complete a course in the diagnosis and treatment of hepatitis as part of existing continuing education requirements. The bill was later substantially amended to address a different topic, and no longer under the purview of the Department of Consumer Affairs.	
<b>AB 2699</b> <b>Bass</b>	<b><u>Healing Arts: Licensure Exemption</u></b>	<b>Enacted</b> <b>Chapter 270</b>
	Until January 1, 2014, temporarily exempts out-of-state licensed healthcare practitioners from California licensure requirements while participating in a free healthcare event in this state sponsored by an approved nonprofit organization. Also, requires the sponsoring entity and all participating out-of-state healthcare practitioners to register in advance with the appropriate licensing boards and comply with California law during the event.	
<b>SB 700</b> <b>Negrete</b> <b>McLeod</b>	<b><u>Healing Arts: Peer Review</u></b>	<b>Enacted</b> <b>Chapter 505</b>
	Makes a number of changes to the healing arts professional peer review reporting process, including establishing procedures for expunging records of peer reviews found to have been conducted in bad faith, and establishing procedures for earlier reporting to licensing boards, so that the boards may become aware of possible misconduct earlier.	
<b>SB 856</b> <b>Committee</b> <b>on Budget &amp;</b> <b>Fiscal</b> <b>Review</b>	<b><u>Healing Arts Boards: Investigative Services</u></b>	<b>Enacted</b> <b>Chapter 719</b>
	Allows the Division of Investigations, the Medical Board, the Dental Board, and other healing arts boards, to employ non-sworn personnel and consultants with subject matter expertise to provide the investigative services for the boards.	
<b>SB 870</b> <b>Ducheny</b>	<b><u>Medical Board: Additional Staff</u></b>	<b>Enacted</b> <b>Chapter 712</b>
	Approves 7.8 additional positions funded via redirection in FY 2010-11, and ongoing, in the Board's Licensing Unit to review and process physician/surgeon medical licensure applications. Also, approves	



1.0 position and \$88,000 in FY 2010-11, and \$58,000 ongoing, to implement the registration of polysomnographic technologists, pursuant to AB 132 (Chapter 365, Statutes of 2009)

**SB 726**  
**Ashburn**

**Rural Hospitals: Employment of Physicians & Surgeons**

**Failed in Senate Business, Professions & Economic Dev Committee**

Would have extended the sunset date for an existing pilot project that provides a limited exemption from the prohibition against the corporate practice of medicine ("pilot project") from January 1, 2011 to January 1, 2018, and made limited expansions to the pilot project.

**SB 1031**  
**Corbett**

**Medical Malpractice Insurance: Volunteer Physicians & Surgeons**

**Died in Assembly Business & Professions Committee**

Would have created the Volunteer Insured Physicians Program within the Medical Board, which would have provided liability insurance, funded by the Board, to physicians who voluntarily provide their services free of charge to qualified health care entities.

**SB 1111**  
**Negrete McLeod**

**Healing Arts Boards: Enforcement**

**Died in Senate Business, Professions & Economic Dev Committee**

Would have enacted a number of changes pertaining to the enforcement activities of the healing arts boards under the Department of Consumer Affairs, including: 1) increased the boards' authority to remove dangerous individuals from practice; 2) provided better access to critical information for use in investigations; and 3) made various other changes to improve efficiency in enforcement processes.

**SB 1150**  
**Negrete McLeod**

**Healing Arts: Advertisements & Clinic Regulation**

**Died in Assembly Appropriations Committee**

Would have strengthened requirements for advertisements and disclosures by healing arts practitioners, required regulation of fertility clinics as outpatient settings, increased oversight and enforcement of the use of lasers and intense pulse light devices in cosmetic medical procedures, and increased oversight and enforcement of accredited outpatient medical settings.

**SB 1172**  
**Negrete McLeod**

**Regulatory Boards: Diversion Programs**

**Enacted Chapter 517**

Requires a healing arts board within the Department of Consumer Affairs to issue a cease practice order to a licensee who is on probation for substance abuse or in a diversion program and tests positive for a banned substance. Also, authorizes a board to adopt regulations ordering a licensee on probation or in a diversion program to cease practice for major violations of probation or the diversion program and when the board orders a licensee to undergo a clinical diagnostic evaluation.

**SB 1410**  
**Cedillo**

**Medicine: Licensure Examinations**

**Vetoed**

Would have (1) allowed an applicant for a physician's license to take Step III of the United States Medical Licensing Examination (USMLE) as many times as needed to pass, (2) modified the date that a USMLE applicant's passing score is determined, (3) required

the Medical Board to pass a formal resolution when adopting a passing score for its exams, and (4) specified the procedures for that resolution.

**SB 1489**  
**Business,**  
**Professions**  
**& Economic**  
**Dev Com**

**Healing Arts**

Makes several minor and non-substantive changes to provisions pertaining to the health-related regulatory boards of the Department of Consumer Affairs.

**Enacted**  
**Chapter 653**

**(20) NATUROPATHIC MEDICINE**

**AB 583**  
**Hayashi**

**Health Care Practitioners: Disclosure of Education**

Requires certain health care practitioners to provide their name, license type, highest level of academic degree, and board certification in written disclosures to patients or in their offices.

**Enacted**  
**Chapter 436**

**AB 2699**  
**Bass**

**Healing Arts: Licensure Exemption**

Until January 1, 2014, temporarily exempts out-of-state licensed healthcare practitioners from California licensure requirements while participating in a free healthcare event in this state sponsored by an approved nonprofit organization. Also, requires the sponsoring entity and all participating out-of-state healthcare practitioners to register in advance with the appropriate licensing boards and comply with California law during the event.

**Enacted**  
**Chapter 270**

**SB 856**  
**Committee**  
**on Budget &**  
**Fiscal**  
**Review**

**Healing Arts Boards: Investigative Services**

Allows the Division of Investigations, the Medical Board, the Dental Board, and other healing arts boards, to employ non-sworn personnel and consultants with subject matter expertise to provide the investigative services for the boards.

**Enacted**  
**Chapter 719**

**SB 1050**  
**Yee**

**Naturopathic Medicine Committee**

Restructures the Naturopathic Medicine Committee (Committee) into an independent regulatory entity in all but name, and restructures the Committee's membership. Also removes the naturopathic doctor members from the Osteopathic Medical Board and replaces them with public members appointed by the Legislature.

**Enacted**  
**Chapter 143**

**SB 1111**  
**Negrete**  
**McLeod**

**Healing Arts Boards: Enforcement**

Would have enacted a number of changes pertaining to the enforcement activities of the healing arts boards under the Department of Consumer Affairs, including: 1) increased the boards' authority to remove dangerous individuals from practice; 2) provided better access to critical information for use in investigations; and 3) made various other changes to improve efficiency in enforcement processes.

**Died in Senate**  
**Business,**  
**Professions &**  
**Economic Dev**  
**Committee**

**SB 1172**  
**Negrete**  
**McLeod**

**Regulatory Boards: Diversion Programs**

**Enacted**  
**Chapter 517**

Requires a healing arts board within the Department of Consumer Affairs to issue a cease practice order to a licensee who is on probation for substance abuse or in a diversion program and tests positive for a banned substance. Also, authorizes a board to adopt regulations ordering a licensee on probation or in a diversion program to cease practice for major violations of probation or the diversion program and when the board orders a licensee to undergo a clinical diagnostic evaluation.

**SB 1246**  
**Negrete**  
**McLeod**

**Naturopathic Medicine: Assistants, Laboratory Work**

**Enacted**  
**Chapter 523**

Establishes the regulatory category of and defines a scope of practice for naturopathic assistants. Also, authorizes naturopathic doctors and naturopathic assistants to perform specified laboratory work.

**(21) OCCUPATIONAL THERAPY**

**SB 856**  
**Committee**  
**on Budget &**  
**Fiscal**  
**Review**

**Healing Arts Boards: Investigative Services**

**Enacted**  
**Chapter 719**

Allows the Division of Investigations, the Medical Board, the Dental Board, and other healing arts boards, to employ non-sworn personnel and consultants with subject matter expertise to provide the investigative services for the boards.

**SB 870**  
**Ducheny**

**Occupational Therapy: Assistant for the Executive Officer**

**Enacted**  
**Chapter 712**

Approves 1.0 position and \$109,000 in FY 2010-11, and \$99,000 ongoing, to fund an SSM 1 to relieve the Executive Officer of day-to-day supervisory duties.

**SB 999**  
**Walters**

**Occupational Therapy**

**Enacted**  
**Chapter 173**

Prohibits the public members of the California Board of Occupational Therapy from being licensees of any other healing arts board.

**SB 1489**  
**Business,**  
**Professions**  
**& Economic**  
**Dev Com**

**Healing Arts**

**Enacted**  
**Chapter 653**

Makes several minor and non-substantive changes to provisions pertaining to the health-related regulatory boards of the Department of Consumer Affairs.

**(22) OPTOMETRY**

**AB 583**  
**Hayashi**

**Health Care Practitioners: Disclosure of Education**

**Enacted**  
**Chapter 436**

Requires certain health care practitioners to provide their name, license type, highest level of academic degree, and board certification in written disclosures to patients or in their offices.

<b>AB 2683</b> <b>Hernandez</b>	<b><u>Optometry</u></b>  Allows optometrists to practice at long-term care facilities, as well as authorizes an assistant in these facilities to fit prescription lenses under the supervision of an optometrist, physician, surgeon, or ophthalmologist.	<b>Enacted</b> <b>Chapter 604</b>
<b>AB 2699</b> <b>Bass</b>	<b><u>Healing Arts: Licensure Exemption</u></b>  Until January 1, 2014, temporarily exempts out-of-state licensed healthcare practitioners from California licensure requirements while participating in a free healthcare event in this state sponsored by an approved nonprofit organization. Also, requires the sponsoring entity and all participating out-of-state healthcare practitioners to register in advance with the appropriate licensing boards and comply with California law during the event.	<b>Enacted</b> <b>Chapter 270</b>
<b>SB 856</b> <b>Committee on Budget &amp; Fiscal Review</b>	<b><u>Healing Arts Boards: Investigative Services</u></b>  Allows the Division of Investigations, the Medical Board, the Dental Board, and other healing arts boards, to employ non-sworn personnel and consultants with subject matter expertise to provide the investigative services for the boards.	<b>Enacted</b> <b>Chapter 719</b>
<b>SB 870</b> <b>Ducheny</b>	<b><u>Optometry: Licensing Position</u></b>  Approves a 0.5 position authority in FY 2010-11, and ongoing, to increase a 0.5 MST position to a 1.0 position to manage the exam and licensing workload.	<b>Enacted</b> <b>Chapter 712</b>
<b>SB 1111</b> <b>Negrete McLeod</b>	<b><u>Healing Arts Boards: Enforcement</u></b>  Would have enacted a number of changes pertaining to the enforcement activities of the healing arts boards under the Department of Consumer Affairs including: 1) increased the boards' authority to remove dangerous individuals from practice; 2) provided better access to critical information for use in investigations; and 3) made various other changes to improve efficiency in enforcement processes.	<b>Died in Senate Business, Professions &amp; Economic Dev Committee</b>
<b>SB 1172</b> <b>Negrete McLeod</b>	<b><u>Regulatory Boards: Diversion Programs</u></b>  Requires a healing arts board within the Department of Consumer Affairs to issue a cease practice order to a licensee who is on probation for substance abuse or in a diversion program and tests positive for a banned substance. Also, authorizes a board to adopt regulations ordering a licensee on probation or in a diversion program to cease practice for major violations of probation or the diversion program and when the board orders a licensee to undergo a clinical diagnostic evaluation.	<b>Enacted</b> <b>Chapter 517</b>
<b>SB 1489</b> <b>Business, Professions &amp; Economic Dev Com</b>	<b><u>Healing Arts</u></b>  Makes several minor and non-substantive changes to provisions pertaining to the health-related regulatory boards of the Department of Consumer Affairs.	<b>Enacted</b> <b>Chapter 653</b>

## (23) OSTEOPATHIC MEDICINE

**AB 583**  
**Hayashi**

**Health Care Practitioners: Disclosure of Education**

**Enacted**  
**Chapter 436**

Requires certain health care practitioners to provide their name, license type, highest level of academic degree, and board certification in written disclosures to patients or in their offices.

**AB 2699**  
**Bass**

**Healing Arts: Licensure Exemption**

**Enacted**  
**Chapter 270**

Until January 1, 2014, temporarily exempts out-of-state licensed healthcare practitioners from California licensure requirements while participating in a free healthcare event in this state sponsored by an approved nonprofit organization. Also, requires the sponsoring entity and all participating out-of-state healthcare practitioners to register in advance with the appropriate licensing boards and comply with California law during the event.

**SB 856**  
**Committee**  
**on Budget &**  
**Fiscal**  
**Review**

**Healing Arts Boards: Investigative Services**

**Enacted**  
**Chapter 719**

Allows the Division of Investigations, the Medical Board, the Dental Board, and other healing arts boards, to employ non-sworn personnel and consultants with subject matter expertise to provide the investigative services for the boards.

**SB 870**  
**Ducheny**

**Osteopathic Medicine: Licensing Staff Augmentation**

**Enacted**  
**Chapter 712**

Approves 4.0 positions and \$274,000 in FY 2010-11, and \$238,000 ongoing, to address workload growth in the Board's licensing program.

**SB 1050**  
**Yee**

**Osteopathic Medical Board of California**

**Enacted**  
**Chapter 143**

Restructures the Naturopathic Medicine Committee (Committee) into an independent regulatory entity in all but name, and restructures the Committee's membership. Also, removes the naturopathic doctor members from the Osteopathic Medical Board and replaces them with public members appointed by the Legislature.

**SB 1111**  
**Negrete**  
**McLeod**

**Healing Arts Boards: Enforcement**

**Died in Senate**  
**Business,**  
**Professions &**  
**Economic Dev**  
**Committee**

Would have enacted a number of changes pertaining to the enforcement activities of the healing arts boards under the Department of Consumer Affairs, including: 1) increased the boards' authority to remove dangerous individuals from practice; 2) provided better access to critical information for use in investigations; and 3) made various other changes to improve efficiency in enforcement processes.

**SB 1172**  
**Negrete**  
**McLeod**

**Regulatory Boards: Diversion Programs**

**Enacted**  
**Chapter 517**

Requires a healing arts board within the Department of Consumer Affairs to issue a cease practice order to a licensee who is on

probation for substance abuse or in a diversion program and tests positive for a banned substance. Also, authorizes a board to adopt regulations ordering a licensee on probation or in a diversion program to cease practice for major violations of probation or the diversion program and when the board orders a licensee to undergo a clinical diagnostic evaluation.

## (24) PHARMACY

**AB 583**  
**Hayashi**

### **Health Care Practitioners: Disclosure of Education**

**Enacted**  
**Chapter 436**

Requires certain health care practitioners to provide their name, license type, highest level of academic degree, and board certification in written disclosures to patients or in their offices.

**AB 977**  
**Skinner**

### **Pharmacists: Immunization Protocols**

**Died in Senate**  
**Business,**  
**Professions &**  
**Economic Dev**  
**Committee**

Would have created a pilot project that would have permitted pharmacists to initiate and administer influenza immunizations to any person 18 years old or older, pursuant to standardized protocols developed and approved by the Medical Board of California, which must consult with public health officers and may consult with the Board of Pharmacy.

**AB 1701**  
**Chesbro**

### **Hypodermic Needles & Syringes**

**Enacted**  
**Chapter 667**

Extends the sunset date, from December 31, 2010, to December 31, 2018, of the Disease Prevention Demonstration Project, which permits cities or counties to authorize licensed pharmacists to sell or furnish 10 or fewer hypodermic needles or syringes to a person for use without a prescription, as specified.

**AB 2077**  
**Solorio**

### **Pharmacy**

**Vetoed**

Would have expanded the definition of "hospital pharmacy" for purposes of Board of Pharmacy licensure by allowing a hospital pharmacy to be located on separate premises from the hospital it serves and to provide medications to patients at other, commonly owned hospitals.

**AB 2104**  
**Hayashi**

### **California State Board of Pharmacy**

**Enacted**  
**Chapter 374**

Authorizes the Director of the Department of Consumer Affairs to approve the Executive Officer appointed by the California Board of Pharmacy.

**AB 2292**  
**Lowenthal,**  
**Bonnie**

### **Pharmacy: Clinics**

**Died in**  
**Assembly**  
**Appropriations**  
**Committee**

Would have redefined "clinic," with respect to the Board of Pharmacy's (Board) surgical clinic licensing authority to include outpatient settings accredited by an accrediting agency approved by the Medical Board and ambulatory surgical centers certified by Medicare and directed the Board to inspect clinics in accordance with existing inspection authority.



<b>AB 2699</b> <b>Bass</b>	<b><u>Healing Arts: Licensure Exemption</u></b>  Until January 1, 2014, temporarily exempts out-of-state licensed healthcare practitioners from California licensure requirements while participating in a free healthcare event in this state sponsored by an approved nonprofit organization. Also, requires the sponsoring entity and all participating out-of-state healthcare practitioners to register in advance with the appropriate licensing boards and comply with California law during the event.	<b>Enacted</b> <b>Chapter 270</b>
<b>SB 484</b> <b>Wright</b>	<b><u>Ephedrine &amp; Pseudoephedrine</u></b>  Would have provided that any person who obtained ephedrine, pseudoephedrine, and specified related drugs without a prescription, as specified, was guilty of an infraction or misdemeanor.	<b>Died in</b> <b>Assembly</b> <b>Appropriations</b> <b>Committee</b>
<b>SB 856</b> <b>Committee</b> <b>on Budget &amp;</b> <b>Fiscal</b> <b>Review</b>	<b><u>Healing Arts Boards: Investigative Services</u></b>  Allows the Division of Investigations, the Medical Board, the Dental Board, and other healing arts boards, to employ non-sworn personnel and consultants with subject matter expertise to provide the investigative services for the boards.	<b>Enacted</b> <b>Chapter 719</b>
<b>SB 870</b> <b>Ducheny</b>	<b><u>Pharmacy: Licensing Support Staff</u></b>  Approves 2.0 positions and \$94,000 in FY 2010-11, and ongoing, to address permanent licensing workload currently being performed by temporary-help staff.	<b>Enacted</b> <b>Chapter 712</b>
<b>SB 971</b> <b>Pavley</b>	<b><u>Bleeding Disorders: Blood Clotting Products</u></b>  Would have imposed specified requirements on providers of blood clotting products for home use, used for the treatment of hemophilia and related bleeding disorders, and would have required the Board of Pharmacy to administer and enforce the bill's provisions.	<b>Vetoed</b>
<b>SB 1029</b> <b>Yee</b>	<b><u>Hypodermic Needles &amp; Syringes</u></b>  Would have extended and expanded the existing Disease Prevention Demonstration Project, through which pharmacies may furnish hypodermic needles and syringes to a person 18 years or older without a prescription.	<b>Vetoed</b>
<b>SB 1106</b> <b>Yee</b>	<b><u>Prescribers: Dispensing of Samples</u></b>  Would have required a prescriber dispensing a drug sample or starter kit to either provide the patient with a copy of the Food and Drug Administration approved package insert for the drug sample or ensure that the manufacturer's warnings are affixed to the sample.	<b>Died in</b> <b>Assembly Health</b> <b>Committee</b>
<b>SB 1111</b> <b>Negrete</b> <b>McLeod</b>	<b><u>Healing Arts Boards: Enforcement</u></b>  Would have enacted a number of changes pertaining to the enforcement activities of the healing arts boards under the Department of Consumer Affairs, including: 1) increased the boards'	<b>Died in Senate</b> <b>Business,</b> <b>Professions &amp;</b> <b>Economic Dev</b> <b>Committee</b>



authority to remove dangerous individuals from practice; 2) provided better access to critical information for use in investigations; and 3) made various other changes to improve efficiency in enforcement processes.

**SB 1172**  
**Negrete**  
**McLeod**

**Regulatory Boards: Diversion Programs**

**Enacted**  
**Chapter 517**

Requires a healing arts board within the Department of Consumer Affairs to issue a cease practice order to a licensee who is on probation for substance abuse or in a diversion program and tests positive for a banned substance. Also, authorizes a board to adopt regulations ordering a licensee on probation or in a diversion program to cease practice for major violations of probation or the diversion program and when the board orders a licensee to undergo a clinical diagnostic evaluation.

**SB 1390**  
**Corbett**

**Prescription Drug Labels**

**Failed in**  
**Assembly**  
**Business &**  
**Professions**  
**Committee**

Would have repealed existing law requiring the Board of Pharmacy to promulgate regulations requiring standards for patient-centered prescription drug labels and enacted standards for patient-centered labels, including the requirement of certain information being printed in minimum 12-point font.

**SB 1489**  
**Business,**  
**Professions**  
**& Economic**  
**Dev Com**

**Healing Arts**

**Enacted**  
**Chapter 653**

Makes several minor and non-substantive changes to provisions pertaining to the health-related regulatory boards of the Department of Consumer Affairs.

**(25) PHYSICAL THERAPY**

**AB 2382**  
**Blumenfield**

**CA State University: Doctor of Physical Therapy Degrees**

**Enacted**  
**Chapter 425**

Authorizes universities in the California State University system to award the Doctor of Physical Therapy degree.

**AB 2699**  
**Bass**

**Healing Arts: Licensure Exemption**

**Enacted**  
**Chapter 270**

Until January 1, 2014, temporarily exempts out-of-state licensed healthcare practitioners from California licensure requirements while participating in a free healthcare event in this state sponsored by an approved nonprofit organization. Also, requires the sponsoring entity and all participating out-of-state healthcare practitioners to register in advance with the appropriate licensing boards and comply with California law during the event.

**SB 856**  
**Committee**  
**on Budget &**  
**Fiscal**  
**Review**

**Healing Arts Boards: Investigative Services**

**Enacted**  
**Chapter 719**

Allows the Division of Investigations, the Medical Board, the Dental Board, and other healing arts boards, to employ non-sworn personnel and consultants with subject matter expertise to provide the investigative services for the boards.

**SB 870**  
**Duchency**

**Physical Therapy: Continuing Competency Program**

**Enacted**  
**Chapter 712**

Approves 1.5 positions and \$115,000 in FY 2010-11, and 2.0 positions and \$125,000 ongoing, to implement the Board's Continuing Competency Program as mandated by AB 120 (Chapter 540, Statutes of 2006)

**SB 1111**  
**Negrete**  
**McLeod**

**Healing Arts Boards: Enforcement**

**Died in Senate**  
**Business,**  
**Professions &**  
**Economic Dev**  
**Committee**

Would have enacted a number of changes pertaining to the enforcement activities of the healing arts boards under the Department of Consumer Affairs, including: 1) increased the boards' authority to remove dangerous individuals from practice; 2) provided better access to critical information for use in investigations; and 3) made various other changes to improve efficiency in enforcement processes.

**SB 1172**  
**Negrete**  
**McLeod**

**Regulatory Boards: Diversion Programs**

**Enacted**  
**Chapter 517**

Requires a healing arts board within the Department of Consumer Affairs to issue a cease practice order to a licensee who is on probation for substance abuse or in a diversion program and tests positive for a banned substance. Also, authorizes a board to adopt regulations ordering a licensee on probation or in a diversion program to cease practice for major violations of probation or the diversion program and when the board orders a licensee to undergo a clinical diagnostic evaluation.

**(26) PHYSICIAN ASSISTANTS**

**AB 2386**  
**Gilmore**

**Armed Forces: Medical Personnel**

**Enacted**  
**Chapter 151**

Allows a member of the armed forces who is licensed as a physician, physician assistant, or registered nurse in another state to practice in a California hospital as part of an educational program designed to further the combat readiness of the armed forces member.

**SB 856**  
**Committee**  
**on Budget &**  
**Fiscal**  
**Review**

**Healing Arts Boards: Investigative Services**

**Enacted**  
**Chapter 719**

Allows the Division of Investigations, the Medical Board, the Dental Board, and other healing arts boards, to employ non-sworn personnel and consultants with subject matter expertise to provide the investigative services for the boards.

**SB 1069**  
**Pavley**

**Physician Assistants**

**Enacted**  
**Chapter 512**

Permits a physician assistant to perform and sign off on physical examinations required by various laws.

## (27) PODIATRIC MEDICINE

**SB 856**  
**Committee on**  
**Budget &**  
**Fiscal Review**

### Healing Arts Boards: Investigative Services

**Enacted**  
**Chapter 719**

Allows the Division of Investigations, the Medical Board, the Dental Board, and other healing arts boards, to employ non-sworn personnel and consultants with subject matter expertise to provide the investigative services for the boards.

**SB 953**  
**Walters**

### Podiatrists: Liability for Emergency Services

**Enacted**  
**Chapter 105**

Allows podiatrists to administer medical care outside the scope of their practice during an emergency without incurring civil liability.

## (28) PRIVATE POSTSECONDARY EDUCATION

**AB 1140**  
**Niello**

### California Private Postsecondary Education Act of 2009

**Died on Senate**  
**Inactive File**

Would have provided for a one-year delay in implementation of the California Private Postsecondary Education Act of 2009, beginning July 1, 2010, for institutions that offer flight instruction or an institution that offers Federal Aviation Administration certified educational programs in aircraft maintenance.

**AB 1889**  
**Portantino**

### California Private Postsecondary Education Act of 2009

**Vetoed**

Would have enacted several changes to the Private Postsecondary Education Act of 2009, including requiring the Bureau for Private Postsecondary Education to employ specific positions on a permanent, full-time basis.

**AB 2393**  
**Ammiano**

### California Private Postsecondary Education Act of 2009

**Vetoed**

Would have modified the reporting standard for calculating private postsecondary schools' placement rates with respect to certain apprenticeable and nursing fields. It would have also put language into statute that might have preserved certain legal claims brought under the former Private Postsecondary Act.

**SB 856**  
**Committee on**  
**Budget &**  
**Fiscal Review**

### Bureau of Private Postsecondary Education

**Enacted**  
**Chapter 719**

Prohibits the Bureau of Private Postsecondary Education (BPPE) from enforcing the New Act against institutions that offer flight instruction of FAA certified aircraft maintenance programs until July 1, 2011, and requires those institutions to report to BPPE if they intend to operate between July 1, 2010, and July 1, 2011. Also requires the Bureau of State Audits to analyze whether staffing levels and expertise are sufficient to fulfill BPPE's responsibilities when they conduct the bureau's audit.

**SB 870**  
**Ducheny**

**Bureau of Private Postsecondary Education**

**Enacted**  
**Chapter 712**

Approves 63.0 positions and \$8,052,000 in FY 2010-11, and \$7,651,000 ongoing, to reestablish the Bureau pursuant to AB 48 (Chapter 310, Statutes of 2009)

**(29) PSYCHOLOGY**

**AB 2435**  
**Lowenthal,**  
**Bonnie**

**Elder & Dependent Adult Abuse**

**Enacted**  
**Chapter 552**

Requires psychologists, marriage and family therapists, clinical social workers, and professional clinical counselors to have training on the recognition and reporting of suspected elder and dependent adult abuse as a requirement for licensure, either taken in a degree program or as continuing education.

**AB 2699**  
**Bass**

**Healing Arts: Licensure Exemption**

**Enacted**  
**Chapter 270**

Until January 1, 2014, temporarily exempts out-of-state licensed healthcare practitioners from California licensure requirements while participating in a free healthcare event in this state sponsored by an approved nonprofit organization. Also, requires the sponsoring entity and all participating out-of-state healthcare practitioners to register in advance with the appropriate licensing boards and comply with California law during the event.

**SB 856**  
**Committee**  
**on Budget &**  
**Fiscal**  
**Review**

**Healing Arts Boards: Investigative Services**

**Enacted**  
**Chapter 719**

Allows the Division of Investigations, the Medical Board, the Dental Board, and other healing arts boards, to employ non-sworn personnel and consultants with subject matter expertise to provide the investigative services for the boards.

**SB 1111**  
**Negrete**  
**McLeod**

**Healing Arts Boards: Enforcement**

**Died in Senate**  
**Business,**  
**Professions &**  
**Economic Dev**  
**Committee**

Would have enacted a number of changes pertaining to the enforcement activities of the healing arts boards under the Department of Consumer Affairs, including: 1) increased the boards' authority to remove dangerous individuals from practice; 2) provided better access to critical information for use in investigations; and 3) made various other changes to improve efficiency in enforcement processes.

**SB 1172**  
**Negrete**  
**McLeod**

**Regulatory Boards: Diversion Programs**

**Enacted**  
**Chapter 517**

Requires a healing arts board within the Department of Consumer Affairs to issue a cease practice order to a licensee who is on probation for substance abuse or in a diversion program and tests positive for a banned substance. Also, authorizes a board to adopt regulations ordering a licensee on probation or in a diversion program to cease practice for major violations of probation or the diversion program and when the board orders a licensee to undergo a clinical diagnostic evaluation.

## (30) REGISTERED NURSING

**AB 378**  
**Hagman**

### **Nursing: Continuing Education**

Would have specified that any courses that advanced or promoted organized labor, statutory or regulatory changes, or political advocacy would not be considered content relevant to the practice of nursing and, thus, not eligible for credit as continuing education hours.

**Died in Senate Business, Professions & Economic Dev Committee**

**AB 583**  
**Hayashi**

### **Health Care Practitioners: Disclosure of Education**

Requires certain health care practitioners to provide their name, license type, highest level of academic degree, and board certification in written disclosures to patients or in their offices.

**Enacted Chapter 436**

**AB 2344**  
**Nielsen**

### **Nursing: Approved Schools**

Clarifies the existing definition of “institution of higher education,” with respect to the approval of nursing schools, so that it specifically includes educational institutions that offer associate of arts or associate of science degrees.

**Enacted Chapter 208**

**AB 2386**  
**Gilmore**

### **Armed Forces: Medical Personnel**

Allows a member of the armed forces who is licensed as a physician, physician assistant, or registered nurse in another state to practice in a California hospital as part of an educational program designed to further the combat readiness of the armed forces member.

**Enacted Chapter 151**

**AB 2699**  
**Bass**

### **Healing Arts: Licensure Exemption**

Until January 1, 2014, temporarily exempts out-of-state licensed healthcare practitioners from California licensure requirements while participating in a free healthcare event in this state sponsored by an approved nonprofit organization. Also, requires the sponsoring entity and all participating out-of-state healthcare practitioners to register in advance with the appropriate licensing boards and comply with California law during the event.

**Enacted Chapter 270**

**SB 856**  
**Committee on Budget & Fiscal Review**

### **Healing Arts Boards: Investigative Services**

Allows the Division of Investigations, the Medical Board, the Dental Board, and other healing arts boards, to employ non-sworn personnel and consultants with subject matter expertise to provide the investigative services for the boards.

**Enacted Chapter 719**

**SB 1111**  
**Negrete McLeod**

### **Healing Arts Boards: Enforcement**

Would have enacted a number of changes pertaining to the enforcement activities of the healing arts boards under the Department of Consumer Affairs, including: 1) increased the boards'

**Died in Senate Business, Professions & Economic Dev Committee**

authority to remove dangerous individuals from practice; 2) provided better access to critical information for use in investigations; and 3) made various other changes to improve efficiency in enforcement processes.

**SB 1119**  
**Wright**

**Health Care Staffing**

**Vetoed**

Would have extended various existing disclosure and reporting requirements to temporary staffing agencies that referred licensed nursing staff to hospitals and health facilities that admit patients for overnight care.

**SB 1172**  
**Negrete**  
**McLeod**

**Regulatory Boards: Diversion Programs**

**Enacted**  
**Chapter 517**

Requires a healing arts board within the Department of Consumer Affairs to issue a cease practice order to a licensee who is on probation for substance abuse or in a diversion program and tests positive for a banned substance. Also, authorizes a board to adopt regulations ordering a licensee on probation or in a diversion program to cease practice for major violations of probation or the diversion program and when the board orders a licensee to undergo a clinical diagnostic evaluation.

**(31) RESPIRATORY CARE**

**SB 856**  
**Committee**  
**on Budget &**  
**Fiscal**  
**Review**

**Healing Arts Boards: Investigative Services**

**Enacted**  
**Chapter 719**

Allows the Division of Investigations, the Medical Board, the Dental Board, and other healing arts boards, to employ non-sworn personnel and consultants with subject matter expertise to provide the investigative services for the boards.

**(32) SECURITY & INVESTIGATIVE SERVICES**

**AB 2128**  
**Gaines**

**Private Security Services: Insurance Policies**

**Vetoed**

Would have expanded and increased mandatory insurance requirements for private patrol operators (PPO) by requiring all PPO (rather than just a PPO that hires armed security guards) to maintain an insurance policy that provided a minimum of \$1,000,000 (rather than \$500,000) in insurance for any single loss due to bodily injury or death and \$1,000,000 (rather than \$500,000) for any single loss due to injury or destruction of property.

**SB 870**  
**Ducheny**

**Proprietary Private Security Employers Licensing**

**Enacted**  
**Chapter 712**

Approves a 0.5 two-year limited term position and \$69,000 in FY 2010-11 to implement new licensing requirements pursuant to SB 741 (Chapter 361, Statutes of 2009).

**SB 1190**  
**Cedillo**

**Illegal Dumping Enforcement Officers: Baton Training**

**Enacted**  
**Chapter 109**

Removes the requirement that animal control officers and illegal dumping enforcement officers complete baton training by a facility certified by the Department of Consumer Affairs through the Bureau of Security and Investigative Services in order to carry a club or baton, and instead requires these officers complete training approved by the Commission on Peace Officer Standards and Training.

**(33) SPEECH-LANGUAGE PATHOLOGY & AUDIOLOGY & HEARING AID DISPENSERS**

**SB 856**  
**Committee on Budget & Fiscal Review**

**Healing Arts Boards: Investigative Services**

**Enacted**  
**Chapter 719**

Allows the Division of Investigations, the Medical Board, the Dental Board, and other healing arts boards, to employ non-sworn personnel and consultants with subject matter expertise to provide the investigative services for the boards.

**SB 870**  
**Ducheny**

**Consolidation of the Speech-Language Pathology & Audiology Board and the Hearing Aid Dispensers Bureau**

**Enacted**  
**Chapter 712**

Approves a reduction of a 1.0 position and \$2,000 in FY 2010-11, and ongoing, for the consolidation of the Speech-Language Pathology and Audiology Board and the Hearing Aid Dispensers Bureau pursuant to AB 1535 (Chapter 309, Statutes of 2009).

**SB 1489**  
**Business, Professions & Economic Dev Com**

**Healing Arts**

**Enacted**  
**Chapter 653**

Makes several minor and non-substantive changes to provisions pertaining to the health-related regulatory boards of the Department of Consumer Affairs.

**(34) SUNSET REVIEW**

**AB 1659**  
**Huber**

**State Government: Agency Repeals**

**Enacted**  
**Chapter 666**

Creates the Joint Sunset Review Committee in the Legislature, which will be responsible for analysis of specified state agencies, to determine if the agencies continue to be necessary and cost effective.

**AB 2130**  
**Huber**

**Professions & Vocations: Sunset Review**

**Enacted**  
**Chapter 670**

Abolishes the Joint Committee on Boards, Commissions, and Consumer Protection and requires state entities with sunset dates on or after January 1, 2011, to be subject to review by the Joint Sunset Review Committee that would be created by AB 1659 (Huber, 2010). Also, establishes new sunset dates for programs not related to the Department of Consumer Affairs. This bill also repeals Business & Professions Code Section 101.1, which allowed boards subject to sunset review to become bureaus under the DCA upon becoming inoperative or being repealed.



## (35) TELEPHONE MEDICAL ADVICE SERVICES

No bills introduced in the 2010 legislative session.

## (36) VETERINARY MEDICINE

**AB 1980**  
**Hayashi**

### Veterinary Medicine

**Enacted**  
**Chapter 538**

Changes the composition of the Veterinary Medical Board, extends its sunset date to January 1, 2014, eliminates the Registered Veterinary Technician Committee, and makes permanent the Board's multidisciplinary committee.

**AB 2000**  
**Hagman**

### Rabies: Vaccinations

**Died in Senate**  
**Appropriations**  
**Committee**

Would have exempted dog owners from vaccinating a dog if a licensed veterinarian determined, annually, that the dog may have a potentially lethal reaction to the canine anti-rabies vaccine.

**SB 250**  
**Florez**

### Dogs & Cats: Spaying & Neutering

**Failed in**  
**Assembly**  
**Unfinished**  
**Business**

Would have made it unlawful for any person to own an unsterilized dog or cat six months of age or older, with certain exemptions, and subjected the owner to various penalties, including mandatory sterilization of the animal and impoundment costs.

**SB 856**  
**Committee**  
**on Budget &**  
**Fiscal**  
**Review**

### Healing Arts Boards: Investigative Services

**Enacted**  
**Chapter 856**

Allows the Division of Investigations, the Medical Board, the Dental Board, and other healing arts boards, to employ non-sworn personnel and consultants with subject matter expertise to provide the investigative services for the boards.

**SB 870**  
**Ducheny**

### Veterinary Medicine: Additional Position

**Enacted**  
**Chapter 712**

Approves 1.0 position and \$111,000 in FY 2010-11, and \$68,000 ongoing, to support various changes to the Board's examination and enforcement workload.

## (37) VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS

**AB 583**  
**Hayashi**

### Health Care Practitioners: Disclosure of Education

**Enacted**  
**Chapter 436**

Requires certain health care practitioners to provide their name, license type, highest level of academic degree, and board certification in written disclosures to patients or in their offices.

**AB 2699**  
**Bass**

### Healing Arts: Licensure Exemption

**Enacted**  
**Chapter 270**

Until January 1, 2014, temporarily exempts out-of-state licensed healthcare practitioners from California licensure requirements while

participating in a free healthcare event in this state sponsored by an approved nonprofit organization. Also, requires the sponsoring entity and all participating out-of-state healthcare practitioners to register in advance with the appropriate licensing boards and comply with California law during the event.

**SB 856**  
**Committee**  
**on Budget &**  
**Fiscal**  
**Review**

**Healing Arts Boards: Investigative Services**

**Enacted**  
**Chapter 719**

Allows the Division of Investigations, the Medical Board, the Dental Board, and other healing arts boards, to employ non-sworn personnel and consultants with subject matter expertise to provide the investigative services for the boards.

**SB 870**  
**Ducheny**

**Vocational Nursing: Licensing**

**Enacted**  
**Chapter 712**

Approves 4.0 positions and \$258,000 in FY 2010-11, and \$229,000 ongoing, to address the Board's increased application workload.

**SB 1111**  
**Negrete**  
**McLeod**

**Healing Arts Boards: Enforcement**

**Died in Senate**  
**Business,**  
**Professions &**  
**Economic Dev**  
**Committee**

Would have enacted a number of changes pertaining to the enforcement activities of the healing arts boards under the Department of Consumer Affairs, including: 1) increased the boards' authority to remove dangerous individuals from practice; 2) provided better access to critical information for use in investigations; and 3) made various other changes to improve efficiency in enforcement processes.

**SB 1119**  
**Wright**

**Health Care Staffing**

**Vetoed**

Would have extended various existing disclosure and reporting requirements to temporary staffing agencies that refer licensed nursing staff to hospitals and health facilities that admit patients for overnight care.

**SB 1172**  
**Negrete**  
**McLeod**

**Regulatory Boards: Diversion Programs**

**Enacted**  
**Chapter 517**

Requires a healing arts board within the Department of Consumer Affairs to issue a cease practice order to a licensee who is on probation for substance abuse or in a diversion program and tests positive for a banned substance. Also, authorizes a board to adopt regulations ordering a licensee on probation or in a diversion program to cease practice for major violations of probation or the diversion program and when the board orders a licensee to undergo a clinical diagnostic evaluation.